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## REMARKS ON SUBVERSIVE PERFORMANCE AT THE TRIAL OF GIULIO CESARE VANINI (1618–19)

[. . .] on examine les paroles, on devine les pensées, on suppose des desseins. Si on parle, on prend pied sur des mots innocents, on donne un sens préfix à des paroles indifférentes. Si on se tait, on impute le silence à crime, estimant qu'on couvre quelque chose qui ne se dit point.

(CARDINAL RICHELIEU)<sup>1</sup>

For if a Man, have that Penetration of Judgment, as he can discern, what Things are to be laid open, and what to be secretted, and what to be shewed at Halfe lights, and to whom, and when [. . .] to him, A Habit of *Dissimulation*, is a Hinderance, and a Poorenesse.

(FRANCIS BACON)<sup>2</sup>

Although his texts remain relatively under-studied, the figure of Vanini as a philosopher and teacher has become synonymous with the current of *libertinage érudit* prevalent in early seventeenth-century France.<sup>3</sup> In attempting to discover who Vanini was from contemporary accounts, one immediately runs into difficulty with his name. He has been variously known as Pompeo, Pomponio, or Pompinio Usciglio, Lucilio or Lucio Cesare, Giulio Cesare, Jules Cesare, Lucille, as well as different Latin and French forms of some of the above. It is equally difficult to gain a firm purchase on Vanini's thought from his texts. Like his contemporary, the playwright Alexandre Hardy, Vanini claims to have penned a much larger corpus than the two Latin texts of his composition which have survived to the present day: the *Ampitheatrum aeternae providentiae* (1615) and *De admirandis naturae reginae deaequem*

<sup>1</sup> Armand Jean du Plessis, Cardinal de Richelieu, *Mémoires du Cardinal de Richelieu*, ed. by Charles Prosper Maurice Horric de Beaucaire and Robert Lavollée, 10 vols (Paris: Renouard, 1907–31), II: 1616–1619 (1909), p. 300.

<sup>2</sup> Francis Bacon, 'Of Simulation and Dissimulation', in *The Essayes or Counsels, Civill and Morall*, ed. by Michael Kiernan (Oxford: Clarendon Press, 2000), pp. 20–23 (p. 20).

<sup>3</sup> A widely accepted term from René Pintard's founding study, *Le Libertinage érudit dans la première moitié du XVII<sup>e</sup> siècle* (Paris: Boivin, 1943). The most recent studies to associate Vanini with *libertinage érudit* and other writers of the genre are *Giulio Cesare Vanini dal tardo Rinascimento al libertinismo érudit: Atti del Convegno di Studi (Lecce-Taurisano, 24–26 ottobre 1985)*, ed. by Francesco Paolo Raimondi (Galatina: Congedo, 2003); Didier Foucault, *Un philosophe libertin dans l'Europe baroque: Giulio Cesare Vanini 1585–1619* (Paris: Champion, 2003); Jean-Pierre Cavaillé, *Dis/simulations: Jules-César Vanini, François La Mothe Le Vayer, Gabriel Naudé, Louis Manchon et Torquato Accetto. Religion, morale et politique au XVII<sup>e</sup> siècle* (Paris: Champion, 2008); and Jean-Pierre Cavaillé, *Les Déniaisés: irréligion et libertinage au début de l'époque moderne* (Paris: Garnier, 2014).

*mortalium arcanis* (1616). In the second of the two surviving texts, *De admirandis*, Vanini remarks of the *Ampitheatrum*: ‘Multa in eo libro scripta sunt, quibus a me nulla praestatur fides. *Così v'è il mondo*’ (‘This book contains many things that I do not believe in the slightest. Such is life’).<sup>4</sup> In view of such an admission, the task of understanding Vanini’s philosophical, theological, or scientific thought from his texts is clearly not a straightforward one.

In dealing with Vanini’s reported speech, a similar problem presents itself. As Richelieu observes, the minority reign of Louis XIII engendered a culture of factions, persecution, and suspicion of a perceived and often imaginary other. This other could take the form of a conspirator, a witch, a *libertin*, an atheist, or, to quote François Garasse’s description of the *libertin*, ‘un certain composé de toutes ces qualités’.<sup>5</sup> Richelieu alludes especially to suspicions of what is said in private conversation, and the possibility that either indifference or silence may mask a seditious hidden agenda or system of belief. Beyond silence and private speech, public speech was also the subject of great debate and theorizing in Vanini’s day. In an increasingly absolutist world in which free speech could lead to imprisonment or death, early modern writers often resorted either to pretending to subscribe to the moral, political, and theological doctrines of the powerful, or to concealing their true, heterodox beliefs from others. These two strategies—known as *simulatio* and *dissimulatio* respectively—have roots in both Latin and Greek antiquity,<sup>6</sup> and are defined by Jean-Pierre Cavaillé as follows:

La dissimulation consiste à faire comme si ce qui est, n’était pas, et la simulation à faire comme si ce qui n’est pas, était [. . .] la dissimulation s’emploie à ne pas faire paraître ce qui est, et la simulation à produire l’apparence d’une chose qui n’est pas.<sup>7</sup>

<sup>4</sup> Giulio Cesare Vanini, *De admirandis naturae reginae deaeque mortalium arcanis* (Paris: Adrien Périer, 1616), p. 428. I should like to thank Stephen Bamforth and James Helgeson for their assistance in translating the Latin quotations that appear in this article. Vanini’s texts have been translated into Italian in the following critical editions: Giulio Cesare Vanini, *L’anfiteatro dell’eterna provvidenza*, ed. by Francesco Paolo Raimondi and others (Galatina: Congedo, 1981); Giulio Cesare Vanini, *I meravigliosi segreti della natura*, ed. by Francesco Paolo Raimondi (Galatina: Congedo, 1990); Giulio Cesare Vanini, *Tutte le opere*, ed. by Francesco Paolo Raimondi and Mario Carparelli (Milan: Bompiani, 2010). The only translation of Vanini’s texts into French, *Œuvres philosophiques de Vanini*, ed. by Xavier Rousselot (Paris: Charles Gosselin, 1842), is an incomplete rendition of the original Latin texts.

<sup>5</sup> François Garasse, *Les Recherches des recherches & autres œuvres de Me Étienne Pasquier* (Paris: Sebastien Chappelet, 1622), p. 681.

<sup>6</sup> On the Latin and Greek roots of *simulatio* and *dissimulatio* see Francesco Paolo Raimondi, ‘*Simulatio e dissimulatio nella tecnica vaniniana della composizione del testo*’, in *Giulio Cesare Vanini e il libertinismo*, ed. by Francesco Paolo Raimondi (Galatina: Congedo, 2000), pp. 77–126 (pp. 77–100).

<sup>7</sup> Cavaillé, *Dis/simulations*, p. 11. For Cavaillé, *simulatio* and *dissimulatio* cannot be considered as separate from one another, but Jon Snyder has argued that early modern societies considered these to be distinctly separate strategies of dissemination (Jon R. Snyder, *Dissimulation and the Culture of Secrecy in Early Modern Europe* (Berkeley: University of California Press, 2009), p. xvii).

As Montaigne notes in his *Essais*, 'la dissimulation est des plus notables qualitez de siecle', and this phenomenon was not limited to the printed word.<sup>8</sup> It was through his speech and performance while a prisoner, for example, that Vanini's fellow Italian Tommaso Campanella was able, by simulating madness (even under torture), to avoid the death penalty for attempting to rebel against the Spanish rule of Naples and Calabria.<sup>9</sup> The themes of *simulatio* and *dissimulatio* in relation to Vanini's texts have already been the subject of several scholarly works.<sup>10</sup> In this study I will consider the themes of public and private speech and belief in relation to Vanini's trial and the final moments before his execution—one of the most under-studied yet arguably most manifest demonstrations of his philosophy and beliefs regarding religious institutions. I will consider the subversive potential of discarding the mask of conformity in a performative manner, as well as the political stakes for both the state and the condemned at Vanini's execution. In order to gain a better understanding of Vanini's subversive conduct at his trial and execution within the context of hidden and revealed beliefs, I will draw upon James C. Scott's distinction between the mask of conformity and a person's true beliefs, and of the role of public spectacle in both the maintenance of and the fight against a system of domination.<sup>11</sup>

### *Definition of Terms: Vanini's Public and Hidden Transcripts*

According to Scott, it is difficult for an outside observer to distinguish between the mask of subservience and the true feelings and opinions of the subjugated in hierarchical societies. This difficulty derives from the need of the subjugated to be seen in a favourable light by those who enjoy power over them. Thus, 'with rare, but significant, exceptions the public performance of the subordinate will, out of prudence, fear, and the desire to curry favour, be shaped to appeal to the expectations of the powerful'.<sup>12</sup> Scott terms the ways in which the dominant and the dominated interact outwardly with each other in the public sphere as the *public transcript*: a transcript which is 'systematically skewed in the direction of the libretto, the discourse, represented by the

<sup>8</sup> 'Du démentir', in *Les Essais de Michel de Montaigne*, ed. by V.-L. Saulnier and Pierre Villey (Paris: Presses Universitaires de France, 2004), II, 663–67 (p. 666).

<sup>9</sup> See Bernardino M. Bonansea, *Tommaso Campanella: Renaissance Pioneer of Modern Thought* (Washington: Catholic University of America Press, 1969), pp. 28–29.

<sup>10</sup> See, among others, Marcella Leopizzi, 'Simulatio et dissimulatio chez Vanini et chez les libertins', in ead., *Les Sources documentaires du courant libertin français: Giulio Cesare Vanini* (Fasano: Schena; Paris: Presses de l'Université de Paris-Sorbonne, 2004), pp. 535–42; Raimondi, 'Simulatio e dissimulatio'; Cavaillé, *Dis/simulations*, pp. 39–140. For a wider political study within a European context see Snyder, *Dissimulation*.

<sup>11</sup> James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990).

<sup>12</sup> *Ibid.*, p. 2.

dominant'.<sup>13</sup> As the subjugated is required to repeat and validate the discourse of the dominant, and as the dominant has a vested interest in the continued adherence of the subjugated to its discourse, it can be said that there is an essence of performativity in interactions between the dominant and the dominated in the interest of their respective personal security. Erving Goffman provides a useful definition of the notion of performance to be adopted in this study:

A 'performance' may be defined as all the activity of a given participant on a given occasion which serves to influence in any way any of the other participants. Taking a particular participant and his performance as a basic form of reference, we may refer to those who contribute the other performances as the audience, observers, or co-participants. [. . .] ['Performance' may] refer to all activity of an individual which occurs during a period marked by his continuous presence before a particular set of observers and which has some influence on the observers.<sup>14</sup>

The public transcript must necessarily be considered with a degree of scepticism if, in cases such as Vanini's, we are to consider it as a manifestation of an individual's true beliefs and doubts. In confessing of the *Ampitheatrum* that 'Multa in eo libro scripta sunt, quibus a me nulla praestatur fides. *Cosi v'è il mondo*', Vanini demonstrates that his public transcript—in this instance his literary production—is not to be trusted as a true account of his thought. Furthermore, it is equally impossible to discern whether the above refutation is in itself a mask; in which case the *Ampitheatrum* would indeed be an accurate representation of Vanini's thought which the author has judged it prudent to deny in his public transcript. For the purposes of this study, it will be assumed that Vanini's texts contain, to a certain extent, descriptions of atheism which may be read as prescribing atheism. Such were, at the very least, the interpretations made by those contemporaries who were called to inspect and evaluate Vanini's texts:

Monsieur, j'ai parcouru Julius Vaninus, c'est un livre très pernicieux; il enseigne l'athéisme, en faisant semblant d'estre un grand protesteur de l'honneur de Dieu.<sup>15</sup>

Monsieur, En ce que j'ay peu veue de ce livre, je le juge fort dangereux et pernitieux; en iceluy sont subtilement enseignés les principes de l'athéisme.<sup>16</sup>

The outward mask of conformity—that is to say, the public transcript—is thus

<sup>13</sup> Ibid., p. 4. Scott clarifies that this transcript need not necessarily be written, but 'is used almost in its juridical sense (*procès verbal*) of a complete record of what was said. This complete record, however, would also include non-speech acts such as gestures and expressions' (p. 2).

<sup>14</sup> Erving Goffman, *The Presentation of Self in Everyday Life* (London: Penguin, 1959), pp. 14–19.

<sup>15</sup> Archives de la Haute Garonne 2 G 410 bis, lettre de Jean Dupuys, quoted in Émile Namer, *Documents sur la vie de Jules-César Vanini de Taurisano* (Bari: Adriatica Editrice, 1965), p. 127.

<sup>16</sup> Archives de la Haute Garonne 2 G 410 bis, lettre de A. de Manleon, quoted in Namer, *Documents*, p. 129. Garasse's judgement of Vanini's literary output in 1623 echoes this belief in a hidden apology for atheism: 'dans ses *Dialogues*, il discourt en parfait athéiste, en sorte néanmoins qu'il peut désavouer toutes les impiétés, d'autant qu'il se couvre d'un sac mouillé: il

linked to the notion of performance. On the part of the dominated, there is a need to provide the dominant with 'a continuous stream of performances of deference, respect, reverence, admiration, esteem, and even adoration'.<sup>17</sup> On the part of the dominant, there are two distinct uses of the public transcript. First, it can be used 'not to gain the agreement of subordinates but rather to awe and intimidate them into a durable and expedient compliance'.<sup>18</sup> Second, the public transcript of the powerful may be used as a punitive measure against resistance and rebellion:

One deserter shot, one assertive slave whipped, one unruly student rebuked; these acts are meant as public events for an audience of subordinates. They are intended as a kind of pre-emptive strike to nip in the bud any further challenges of the existing frontier.<sup>19</sup>

Furthermore, Michel Foucault recognizes the potential of the execution as an act of deterrent, by referring to it as a 'spectacle punitif', 'le cérémonial de la peine', 'grand spectacle de la punition physique'.<sup>20</sup> It is with this performativity in mind that I should like to approach Vanini's execution in the present study, which will argue that Vanini's performance at his execution was in fact subversive due to its deviation from the expected norms of the public transcript in such spectacles.

Scott identifies a second form of communication among the subjugated. Within a select group of trusted friends, in an environment surrounded by social equals, or in a secluded or somehow secretive environment, the subjugated may feel at liberty to remove temporarily the mask of outward conformity—or at least to allow it to slip—and to reveal his or her true sentiments. Scott writes:

I shall use the term *hidden transcript* to characterize discourse that takes place 'offstage', beyond direct observation by power holders. The hidden transcript is thus derivative in the sense that it consists of those offstage speeches, gestures, and practices that confirm, contradict, or inflect what appears in the public transcript.<sup>21</sup>

For the purposes of this study, the essential element of the hidden transcript is that it typically takes place away from the holders of authority, that is to say, the agents of domination. Furthermore, it is to be expected that the content of the hidden transcript should in some way go against, or at least be disparate to, the tenets of the established dominating order—that is to say, in conflict with

les fait prononcer à son disciple Alexandre, il les rapporte à quelque malheureux athéiste [. . .] il se voit que ce n'est autre que lui-même qui nous étale ses blasphèmes sous le nom de quelque homme de paille' (François Garasse, *La Doctrine curieuse des beaux esprits de ce temps*, ed. by Jean Salem (Paris: Les Belles Lettres, 2009), pp. 700, 853).

<sup>17</sup> Scott, *Domination*, p. 93.

<sup>18</sup> *Ibid.*, p. 67.

<sup>19</sup> *Ibid.*, p. 197.

<sup>20</sup> Michel Foucault, *Surveiller et punir* (Paris: Gallimard, 1975), pp. 15, 16, 21.

<sup>21</sup> Scott, *Domination*, pp. 4–5.

if not in direct opposition to the public transcript. Contemporary witnesses attest to Vanini's use of a subversive hidden transcript. During Vanini's stay in England between 1612 and 1614, the Bishop of Bath was informed by George Abbot, Archbishop of Canterbury, that,

About 3 moneths since I by a secret meanes understood that the elder of them [Vanini] had written to Rome and I had cause to coniecture that it was for an absolucon for their departure from their order. I caused one to speake with hime there-about; and he gave such an aunswere, as I cold not contradict; but yet thought fit to carrye an eye over him.<sup>22</sup>

In this instance, Vanini's hidden transcript—his request for an absolution from the Catholic Church—exists within the apparent safety afforded by the secrecy of private written correspondence. The Archbishop had penetrated this hidden environment, which had hitherto existed outside the control of the dominant Anglican authorities. Although Vanini's response during interrogation is not given in this quotation, the Archbishop's reaction to it suggests that, when confronted, Vanini was forced to don the mask of outward conformity. He was forced to perform according to the anticipated tenets of the public transcript; that is to say, it is likely that he gave assurances to the Archbishop of his loyalty to the Anglican faith and to his new protectors. The Archbishop goes on to recount another example of Vanini's hidden transcript. While in Oxford,

to one or two who had been in Italy he let fall divers words declaring his dislike to our religion. [...] And diverse intimacons he gave of his purpose to withdrawe himself out of England with all speed.<sup>23</sup>

Vanini's hidden transcript was in this instance disseminated among a group comprised of individuals whom Vanini considered to be similar to him because of their shared Italian descent. Surrounded by such individuals, Vanini felt at liberty to let slip the outward mask of conformity seen in his public transcripts, and to criticize the country and the Church of England, to which he was officially attached.

### *Vanini's Trial and the Performance of the Public Transcript*

On 2 August 1618 Vanini was arrested in Toulouse for 'ateisme, blasphèmes et impiétés'.<sup>24</sup> Notably, it was not for his books—a form of his public transcript—that Vanini was arrested, but for having spread atheism and impiety within hidden transcripts that he had revealed to select groups in private

<sup>22</sup> State papers domestic, James I. Vol 76 F. 9.2, Archbishop Abbot to the Bishop of Bath, from Lambeth, quoted in Namer, *Documents*, p. 63.

<sup>23</sup> Ibid.

<sup>24</sup> Émile Namer, *La Vie et l'œuvre de J. C. Vanini, prince des libertins* (Paris: Vrin, 1980), p. 187.

conversation.<sup>25</sup> The complete records of Vanini's trial have not survived, as it was customary for these to be burnt along with the convicted criminal in accordance with a royal edict enacted in 1614.<sup>26</sup> Nevertheless, many accounts of Vanini's trial and death have survived. Before considering the evidence provided in these sources, it is necessary to evaluate their reliability.

The two most reliable accounts we have of Vanini's trial are those written by individuals who were involved in its proceedings. These are the *Historiarum Galliae ab excessu Henrici IV libri XVIII* (Toulouse: Arnald Colomerium, 1643) by Gabriel Barthélemy de Gramond—whose father Pierre was one of the judges at Vanini's trial—and the records in the *Annales de Toulouse*, written by a *capitoul*—a Toulousian municipal magistrate—by the name of Nicolas de Saint-Pierre.<sup>27</sup> Crucially, these authors both purport to offer eyewitness accounts of the proceedings of Vanini's trial. Other accounts are given in *Le Mercure françois*, Garasse's *Doctrine curieuse*, François de Rosset's *Histoires mémorables*, and the anonymous *Histoire véritable*. From a comparison of *Le Mercure françois* with the *Histoire véritable*, it is clear that the former constitutes, in many places, a mere repetition of claims made in the latter, which received its privilege on 1 January 1619:

En son eloquence glissoit tellement dans l'entendement de ses auditeurs particuliers, qu'ils commençoient à balancer en la croyance de ceste faulse doctrine, laquelle vint en euidence & à la cognoissance du Parlement qui decreta contre ce nouveau Ministre: Est interrogé, soustient ses allegations veritables.<sup>28</sup>

Par son eloquence il glissoit tellement sa pernicieuse opinion dans l'entendement de ses auditeurs particuliers, qu'ils commencerent à balancer en la croyance de ceste

<sup>25</sup> According to Leopizzi, Vanini held regular nocturnal meetings with the town's most cultivated men (Leopizzi, *Sources*, p. 17). The *Histoire véritable de tout ce qui s'est fait et passé depuis le premier lanvier 1619 iusques à present, tant en Guyenne, Languedoc, Angoulmois, Rochelle, que Limousin & autres lieux circonvoisins* (Paris: Nicolas Alexandre, 1619) claims that Vanini's impious speech took place within the company of youths (p. 9), a claim repeated in François de Rosset's *Les Histoires mémorables, et tragiques de ce temps* (Paris: Pierre Chevalier, 1619) pp. 194–95.

<sup>26</sup> Namer, *Vie*, pp. 199–200. The burning of trial records was in fact a tradition that pre-dated this edict. Pierre de L'Estoile, for example, provides multiple examples of trial records being burnt along with the accused in an act both of purification and of erasing the heinous crime from collective memory. See Pierre de L'Estoile, *Journal de L'Estoile pour le règne de Henri IV*, ed. by André Martin, 3 vols (Paris: Gallimard, 1958), II: 1601–1609, pp. 45, 155, 273; III: 1610–1611, p. 121. For Leopizzi, it is possible that Vanini's trial records may one day be found, as a library copy of Garasse's *Doctrine curieuse* in Toulouse bears an enigmatic seventeenth-century annotation referring to Vanini's trial records: 'J'ai vu ces pièces' (Leopizzi, *Sources*, pp. 92–93).

<sup>27</sup> All French quotations of Gramond's text are taken from those given in David Durand, *La Vie et les œuvres de Lucilio Vanini* (Rotterdam: Gaspar Fritsch, 1717). All quotations from Saint-Pierre's account in the Archives Municipales de Toulouse are taken from Leopizzi, *Sources*, pp. 101–03. A third, supposedly contemporary, account of the trial by a *greffier du parlement de Toulouse*—Étienne Malenfant—which was published by Victor Cousin in his *Fragments de philosophie cartésienne: Vanini ou la philosophie avant Descartes* (Paris: Didier, 1856), has been shown to be a forgery. On this fabrication see Namer, *Vie*, pp. 221–26, and Leopizzi, *Sources*, pp. 218–21.

<sup>28</sup> *Histoire véritable*, p. 10.



faulx doctrine; ce qu'estant venu à la cognoissance du Parlement, il decreta contre ce nouveau Ministre: Et estant pris, & interrogé, il soustint ses instructions veritables.<sup>29</sup>

Since the *Histoire véritable* does not exclusively describe Vanini's trial, and as there is no evidence to suggest that its unknown author was present at the event, we cannot know for certain whether its author witnessed the trial personally. Rosset's text, though doubtless of interest, carries a risk of unreliability by virtue of its genre as a sensationalist *roman*.<sup>30</sup> It is also unlikely that Rosset—who claims that Vanini was executed at La Place Saint-Étienne—was present at the execution, which in fact took place at the Place de Salin.<sup>31</sup> The two most reliable sources, then, are those of Gramond and Saint-Pierre.

Vanini and Campanella are not the only early modern Italians whose trials for irreligious speech have been the subject of scholarly works. In the late sixteenth century, a miller by the name of Menocchio was put on trial and condemned to death for having uttered blasphemies and challenged Catholic doctrine in northern Italy.<sup>32</sup> Whereas Menocchio had done his utmost to attract attention to his ideas and had made little attempt to don a mask of conformity, Vanini continued to profess a public transcript of conformity to Catholicism at his trial:

Vanini fut conduit à l'audience, et étant sur la sellette, on l'interrogea sur ce qu'il pensait de l'Existence de Dieu? Il répondit qu'il adorait avec l'Eglise un Dieu en trois personnes, et que la Nature démontrait évidemment l'existence de la Divinité. Ayant par hasard aperçu une paille à terre, il la ramassa, et, étendant la main, il parla à ses juges en ses termes: Cette paille me force à croire qu'il y a un Dieu. [. . .] Il concluait de tout ce discours que Dieu était Auteur de toutes choses. [. . .] Il prouva ensuite fort au long que la Nature était incapable de créer quelque chose, d'où il conclut que Dieu était l'Auteur et le Créateur de tous les Etres. Vanini disait plutôt tout cela par vanité ou par crainte que par une persuasion intérieure.<sup>33</sup>

At this moment in his trial, Vanini is clearly engaged in a performance which conforms to the expectations of the public transcript, and is tightly enclosed within the physical sphere of domination represented by the *sellette*. The very environment of the trial lends itself to performance, as Vanini is placed in the dock so that those present might bear witness either to his public transcript of defence, or to his hidden transcript of an admission of guilt. Having found a prop to assist him in the delivery of the desired public transcript—that is

<sup>29</sup> *Le Mercure françois; ou, La Suite de l'histoire de la paix*, 25 vols (Paris: Jean Richer, 1613–43), v: 1617–19 (1619), p. 63.

<sup>30</sup> As Didier Foucault notes, it is quite possible that in this text Rosset 'cherche plus les effets romanesques que la vérité historique' (Foucault, *Vanini*, p. 447).

<sup>31</sup> Rosset, *Histoires*, p. 207.

<sup>32</sup> On the life, philosophy, and trials of Menocchio see Carlo Ginzburg, *The Cheese and the Worm: The Cosmos of a Sixteenth-Century Miller*, trans. by John Tedeschi and Anne Tedeschi (Baltimore: Johns Hopkins University Press, 1992).

<sup>33</sup> Gramond, *Historiae*, in Durand, *Vanini*, pp. 188–91.

to say, a convincing assurance that he believes in the teachings of the Catholic faith—Vanini dramatically takes the piece of straw and extends it to his audience. His words seek to dispel any doubt regarding the sincerity of his Catholic faith. The risk to Vanini's life is omnipresent, and thus constitutes what Scott refers to as an example of circumstances in which 'subordinates have a vested interest in avoiding any *explicit* display of insubordination'.<sup>34</sup>

Though it may be true to say that 'we have no way of calling into question the status of what might be a convincing but feigned performance'<sup>35</sup> at his trial, Vanini's status as an author allows us to gauge his performance at his trial against his views according to his writings. Despite asserting at his trial that he did not believe nature to be capable of creation because of its subservience to God, Vanini offers several passages in *De admirandis* in which, disguised as the views of the pagan other, he allows for an interpretation of his text as an assertion of the supremacy of nature as man's creator. He even goes so far as to refer, while still discussing pagans, to 'Natura, quae Deus est' ('Nature, which is God'), as well as repeatedly critiquing the Catholic belief in the resurrection of the dead and miracles.<sup>36</sup> It is worth restating that it is impossible for the reader to ascertain with absolute certainty whether Vanini's texts are demonstrative of his true beliefs and objections, or of his mask of outward conformity. It is equally impossible, therefore, to know for certain whether a given line of text, such as those that detail the staging of miracles on the part of pagan priests, is to be read as Vanini's public transcript—in which case the author truly abhors these purely pagan practices—or whether such lines are a hidden transcript according to which Vanini also believes the dominant Catholic authorities to be guilty of the same crime.<sup>37</sup> The very real danger to Vanini's life at his trial also leaves no space for a critique of certain institutions that are to be found in his texts. His defence of Catholic doctrine using a piece of straw, therefore, can neither be taken at face value nor discredited with absolute certainty. As Gramond remarks of Vanini during his imprisonment:

Il se porta d'abord pour Catholique et contrefit l'Orthodoxe [. . .] Dans sa prison il fut Catholique [. . .] il s'approchait souvent des Sacrements pendant sa prison et cachait adroitement ses principes.<sup>38</sup>

<sup>34</sup> Scott, *Domination*, p. 86.

<sup>35</sup> Ibid., p. 4.

<sup>36</sup> Vanini, *De admirandis*, p. 366.

<sup>37</sup> See, among other examples, *De admirandis*, pp. 410–11, in which Vanini writes of weeping statues, 'An depicti Deunculi cutem belvino, vel humano cruore clam tingendam? vel sanguineam undam per canaliculos ad Idoli oculos confluentem sacriocolae curarunt? mox templi ianuis apertis occurrens plebecula obstupuit, naturalemque euentus causam non agnoscens, miraculum dixit' ('Have priests not taken care to moisten the outer surface of the little god they have fashioned with animal or human blood, or to make blood-like liquid flow from little channels in the eyes of the idol? Whereupon the common people, rushing through the open doors of the temple, were amazed, and, unaware that the event had a natural cause, proclaimed it a miracle').

<sup>38</sup> Gramond, *Historiae*, quoted in Durand, *Vanini*, pp. 187, 195, 196.

Vanini's performance—for such were Vanini's professions of piety identified by Gramond—did not remain consistent throughout his trial. Despite continued outward conformity, Vanini was condemned to death for atheism. With his fate sealed, his public transcript and the nature of his public performance would change dramatically, and constitute a major attempt to subvert the agents of Catholic orthodoxy present among both the judges and the public spectators.

### *Vanini's Sentencing and the Question of Interrogation*

On 9 February 1619 Vanini was found guilty of atheism, blasphemy, and impiety. The *arrêt* read as follows:

l'Arrêt fut donné portant condamnation de faire amende honorable, nu en chemise, la torche au poing & traîné sur une claie, la langue coupée, & brûlé vif, ce qui fut exécuté au lieu appelé la place du Salin.<sup>39</sup>

The dramatization of power relations represented by the burning of a deviant thinker at the stake is a prime location for what Michel Foucault would recognize as the demonstration of sovereign power.<sup>40</sup> Beyond the spoken word, the mutilation of the criminal's body is also symbolic of a failed attempt at liberation on the part of the criminal, the superior force of the agent of dominant orthodoxy (that is to say, the dispensers of justice), and of the blasphemer's ugly difference from the rest of the God-fearing community. As Michel Foucault observes:

Du côté de la justice qui l'impose, le supplice doit être éclatant, il doit être constaté par tous, un peu comme sa triomphe. L'excès même des violences exercées est une pièce de sa gloire: que le coupable gémissse et crie sous les coups, ce n'est pas un à-côté honteux, c'est le cérémonial même de la justice se manifestant dans sa force. [. . .] un rituel organisé pour le marquage des victimes et la manifestation du pouvoir qui punit. Le supplice a donc une fonction juridico-politique. Il s'agit d'un cérémonial pour reconstituer la souveraineté un instant blessée.<sup>41</sup>

Despite taking place after the acts of self-defence and condemnation, the words and actions of Vanini during the moments leading up to his execution are charged with the politics of power relations, and demonstrate a great shift in the boundaries of public and private transcript that he had, with varying degrees of success, adhered to prior to his arrest.

<sup>39</sup> *Histoire véritable*, pp. 10–11. According to Rosset, Vanini was declared 'atteint & convaincu du crime de lèse-majesté divine & humaine au premier chef' (Rosset, *Histoires*, p. 207).

<sup>40</sup> On this dramatization of power relations see Scott, *Domination*, p. 66. For Michel Foucault, 'Le supplice judiciaire est à comprendre aussi comme un rituel politique. Il fait partie, même sur un mode mineur, des cérémonies par lesquelles le pouvoir se manifeste' (Foucault, *Surveiller*, p. 58).

<sup>41</sup> *Ibid.*, pp. 44, 59.

Before considering Vanini's subversive performance at his execution, the question of Vanini's verbal defence at his trial merits further attention. Rosset and the *Histoire véritable* claim that upon judicial interrogation, Vanini openly admitted his atheism to his accusers *before* he had been found guilty; in other words, he revealed his hidden transcript before being condemned to death. The largest number of blasphemies allegedly spoken by Vanini during his trial are provided by Rosset, according to whom

La première chose qu'il [le sieur de Bertrand, commissaire] luy demanda, après s'estre informé de son nom, & de ses qualitez, & autres formes ordinaires, *S'il ne croyoit point en Dieu*: Luciola avec vne effronterie la plus grande que l'on sçauroit imaginer, luy respondit, *Qu'il ne l'auoit iamais veu, & par consequent qu'il ne le cognoissoit nullement*.<sup>42</sup>

Some of the atheistic assertions attributed by Rosset to Vanini's verbal defence at trial, however, bear a strong resemblance to claims that Vanini had made in his texts. According to Rosset, for example, when Vanini was asked whether we can know God through his works, he replied:

que tout ce qu'on nous publioit de la creation du monde, n'estoit que mensonge, & inuention, & que tous ces Prophetes auoient esté atteints de quelque maladie d'esprit, qui leur auoit fait escrire des extrauagances.<sup>43</sup>

In *De admirandis* the character Jules-César had described the tenets of religion and divine action over the bodies of prophets as follows:

[leges] à principibus ad subditorum paedagogiam excogitatas, & à sacrificulis, ob honoris & auri aucupium, confirmatas non miraculis, sed scriptura, cuius nec originale ullibi adinuenitur. [. . .] Veteres cum proxime adstantes tam subito miseros conuelli, prosternique viderent, in peculiares Diuos morbum comitalem, seu Herculeum, reluctantem Hippocrate, referebant. Apud Christianissimum etiam populum haec inoleuit persuasio.<sup>44</sup>

But these are laws devised by princes for the instruction of their subjects, and by priests on account of their obsession with honours and with gold, confirmed not by miracles, but by Scripture, of which the original is not in any place to be found. [. . .] When the

<sup>42</sup> Rosset, *Histoires*, p. 203. This quotation is similar to the *Histoire véritable's* account of Vanini's final moments before his execution: 'lors que l'on luy dist qu'il criast mercy à Dieu, il dit ces mots en la presence de mille personnes, il n'y a ny Dieu ny diable, car s'il y auoit vn Dieu ie le prierois de lancer vn foudre sur le Parlement comme du toute injuste & inique; & s'il y auoit vn diable, ie le prierois aussi de l'engloutir aux lieux sous terrains: mais parce qu'il n'y a ny l'un ny l'autre, ie n'en feray rien' (*Histoire véritable*, pp. 10–11). These lines were directly reprinted in *Le Mercure françois*, p. 65.

<sup>43</sup> Rosset, *Histoires*, pp. 203–04.

<sup>44</sup> Vanini, *De admirandis*, pp. 366, 460–61. The similarity between Vanini's discussion of priests and that of d'Holbach in the *Encyclopédie* is striking. See Paul-Henry Thiry, Baron d'Holbach, 'Prêtres', in *Encyclopédie, ou dictionnaire raisonné des sciences, des arts et des métiers, etc.*, ed. by Denis Diderot and Jean le Rond d'Alembert, 28 vols (Paris: Briasson, David, Le Breton et Durand, 1751–72:), XIII (1751), pp. 340–41.

ancients saw pitiable wretches standing alongside them fall into spasms, they used to attribute this epilepsy, or malady of Hercules (although Hippocrates denies this), to particular gods. Even among the most Christian peoples this opinion has taken root.

Considering that *De admirandis* had been condemned before Vanini was arrested, it is doubtful that he would have quoted his own arguments from this text, or indeed presented them with slightly different wording, during his trial. It seems far more likely either that Rosset had either read Vanini's texts, or that he had heard from others of the arguments made in them. The *Histoire véritable* similarly claims that, upon interrogation, Vanini willingly revealed his hidden transcript of atheism:

Est interrogé, soustient ses allegations veritables, lesquelles il fondoit si doctement que le Parlement s'en estonnoit. Pour parfaire son procès on enuoya à Castres querir des principaux de la Religion pretendue reformee, pour sçauoir d'eux s'ils approuuoient ce qu'il disoit, & respondirent sagement que non, & que cet homme-là, estoit le plus abominable que l'on vit iamais. En leur presence l'Arest fut donné.<sup>45</sup>

Once again, considering that more reliable sources report that Vanini had attempted to prove his religious belief through his discourse on the piece of straw, there is no logical reason why he would not only admit to his atheism during his defence, but elaborately articulate his arguments before his accusers. The statement that Protestant doctors were brought in to assess the theological validity of Vanini's supposed assertions also seems doubtful, especially considering Toulouse's reputation as a zealous Catholic community, described by Gramond as follows:

Il n'y a point de ville en France où la loi soit plus sévère envers les hérétiques; et quoique l'édit de Nantes ait accordé aux calvinistes une protection publique, et les ait autorisés à commercer avec nous et à participer à l'administration, jamais ces sectaires n'ont osé se fier à Toulouse.<sup>46</sup>

Gramond explicitly states that those of the reformed religion mistrusted the people of Toulouse. They feared entering Toulouse and participating in its administration, despite officially being allowed to do so, thus casting doubt on the credibility of the *Histoire véritable* in this instance. Furthermore, the *arrêt* given in the records of the Chambre criminelle du parlement de Toulouse provides a full list of those present. All of these were *conseillers*, and no reference is made to the presence of Protestant theologians as claimed in the *Histoire véritable*.<sup>47</sup> It seems far more likely that the author of the *Histoire véritable* fabricated the consultation with Protestant doctors in order to accen-

<sup>45</sup> *Histoire véritable*, p. 10.

<sup>46</sup> Gramond, *Historiae*, in Durand, *Vanini*, p. 186. Guy Patin would later remark that 'Il [Vanini] fut despourveu de sens de quitter Paris ville pleine de libertins pour s'en aller à Toulouse ville toute bigote' (quoted in Foucault, *Vanini*, p. 407).

<sup>47</sup> For details of the individual *conseillers* present see Foucault, *Vanini*, pp. 476–77.

tuat Vanini's supposed impiety. In contrast to the concurring accounts given by Gramond and Saint-Pierre (as will be demonstrated below), the words attributed to Vanini by these less reliable sources vary widely. Additionally, the suggestion that Vanini felt compelled to attack the teachings of the Catholic Church during interrogations does not make sense within the time-frame of the trial. The records of Saint-Pierre clearly state that the Parlement de Toulouse

le [Vanini] fit remettre, le cinquième du dit mois d'août, des prisons de la maison de ville en la conciergerie du palais, où il fut détenu jusqu'à ce qu'on eut trouvé preuves suffisantes pour le convaincre et lui parfaire son procès comme on fit: car le samedi, neuvième du mois de février en suivant, la grande chambre de la Tournelle assemblées, fut donné arrêt au rapport de M. de Catel, conseiller au parlement, par lequel il fut condamné.<sup>48</sup>

Having arrested Vanini on 5 August 1618, the prosecution took six months to find *preuves suffisantes* to secure a guilty verdict. This eventual evidence came not from Vanini's texts or his interrogations, but from the testimony of Jean de Mauléon de Francon, who claimed to have been horrified by Vanini's impieties in private conversation.<sup>49</sup> According to Gramond, Vanini 'était même sur le point d'être élargi, à cause de l'ambiguïté des preuves' before Francon decided to give evidence against him.<sup>50</sup> Even Garasse was obliged to concede in his *Doctrine curieuse* that Vanini's maintenance of the public transcript of conformity at his trial had left his judges unsure of his culpability:

Il fut ouï et examiné publiquement et, quoique son esprit remuant lui fournît des défaites assez plausibles en apparence et que quelques-uns des juges ne pensassent pas avoir des preuves suffisantes [. . .] néanmoins il passa par la pluralité des voix et fut condamné. [. . .] voyant qu'il n'y avait plus d'espérance pour lui, dit et publia que, pour lui, il était en cette croyance qu'il n'y avait point d'autre dieu au monde que la nature.<sup>51</sup>

With no case against him, and with his accusers requiring such a long period of time to find sufficient evidence to secure his conviction, it appears extremely unlikely that Vanini judged his situation so hopeless, and his death

<sup>48</sup> Quoted in Leopizzi, *Sources*, p. 103.

<sup>49</sup> Garasse claims that 'Le premier qui fit la découverte de ses horribles impiétés, fut le sieur de Francon' (Garasse, *Doctrine*, p. 258). Véronique Garrigues has suggested that this man was in fact a member of the comte de Cramail's clientele, Jean-Louis de Mauléon (Véronique Garrigues, *Adrien de Monluc (1571-1646): d'encre et de sang* (Limoges: Presses Universitaires de Limoges, 2006), p. 143).

<sup>50</sup> Gramond, *Historiae*, in Durand, *Vanini*, pp. 187-88. Just as in England, Vanini's blasphemies remained distinctively private—a surprisingly uncommon trend in the seventeenth century. In an analysis of reports of spoken blasphemy in France between 1656 and 1671, only 24.2% of cases occurred in one's own home (14.1%) or an apartment (10.1%), whereas 51.6% occurred in streets, and 14.8% at cabarets. See Alain Cabantous, *Impious Speech in the West from the Seventeenth to the Nineteenth Century*, trans. by Eric Rauth (New York: Columbia University Press, 2002), p. 102.

<sup>51</sup> Garasse, *Doctrine*, p. 259.

so imminent, that he felt able to abandon all hope of survival by affirming his atheism publicly. Consequently, it will be assumed in this study that Vanini did indeed continue to conform outwardly to Catholic doctrine until after he had been sentenced; that is to say, that he continued to pronounce his public transcript of conformity until it became clear that he no longer had anything to lose in revealing his private transcript.<sup>52</sup>

*Vanini's Execution and the Performative Revelation of his Private Transcript*

Vanini had continued to profess his Catholic faith and to refute atheism throughout the trial. Yet following his sentencing, numerous contemporary sources suggest that he definitively abandoned the mask of a defender of religion and of a fervent Catholic believer.<sup>53</sup> With his fate sealed, Vanini seized the opportunity to spend his final hours indulging in free speech and mockery of Catholic institutions. He also used the public platform of the scaffold to reveal his taste for the same philosophical freedom—the *libertas philosophandi*—that had been celebrated by his fellow freethinkers and inspirers of later French *libertin* thinkers such as Tommaso Campanella, Giordano Bruno, and Galileo.<sup>54</sup> It is therefore possible to see an enactment of Vanini's private transcript and a revelation of his belief in intellectual freedom of enquiry in the scenes leading to his execution. Saint-Pierre, Gramond, and a further contemporary manuscript all concur on Vanini's attitude towards a priest who had been assigned to console him and to urge him to repent:

Le bon père religieux qui l'assistoit estimoit, en lui montrant le crucifix et lui représentant les sacrés mystères de l'incarnation et passion admirable de notre Seigneur, l'esjouir à ce qu'il reconnût. Mais ce tigre enragé et opiniasté en ses faulses maximes meprisoit tout, et ne le voulut jamais regarder. [. . .] il mourut doncques en athée.<sup>55</sup>

Je le vis dans le Tombereau, lorsqu'on le menoit au supplice se moquant d'un Cordelier

<sup>52</sup> If it were in fact the case that Vanini revealed his atheism before his conviction, a notion that this study has cast doubt upon, that would nonetheless demonstrate a destabilizing revelation of his private transcript within an environment of the dominant, viz. the legal court. The trial of Théophile de Viau, for which the complete records have survived, serves as a good point of comparison. We know for a fact that Théophile, who faced a similar set of charges and circumstances to Vanini, resolutely maintained his public transcript of subscription to Catholic doctrine throughout his trial. There is no logical reason to suggest that Vanini, having taken such care to avoid condemnation in his texts, openly declared his atheism while there remained a possibility for him to escape from the trial with his life; a belief demonstrated by his apparent use of a piece of straw to prove the existence of God.

<sup>53</sup> Garasse describes Vanini's actions through the dramatic metaphor of disguise and revelation: 'Aussitôt après sa condamnation, il leva le masque' (Garasse, *Doctrine*, p. 259).

<sup>54</sup> For a selection of references to the *libertas philosophandi* by late sixteenth- and early seventeenth-century writers see Robert B. Sutton, 'The Phrase *Libertas philosophandi*', *Journal of the History of Ideas*, 14 (1953), 310–16.

<sup>55</sup> Saint-Pierre, quoted in Leopizzi, *Sources*, p. 103.

qu'on lui avait donné pour le consoler et le faire revenir de son obstination. [. . .] Vanini farouche et opiniâtre refusa les consolations du Cordelier qui l'accompagnoit.<sup>56</sup>

Le père religieux quy l'acistoit luy monstrant le cruscifix pour luy faire souvenir des souffrances de Jesus Christ ce tigre le mesprisoit destournant la teste pour ne le vouloir regarder mourant athee.<sup>57</sup>

Vanini's act of repelling the crucifix is both symbolic and highly subversive. Michel Foucault refers to several *manifestations de la vérité* at executions, the second of which serves the following purpose:

Instaurer le supplice comme moment de vérité. Faire que ces derniers instants où le coupable n'a plus rien à perdre soient gagnés pour la pleine lumière du vrai. [. . .] Le vrai supplice a pour fonction de faire éclater la vérité.<sup>58</sup>

In the case of Vanini, then, the execution serves to affirm the power and reason of both Catholic and royal agents of authority over the subversive deviant.<sup>59</sup> In refusing to accept the symbol of Christian salvation, Vanini disrupts the public transcript of the sovereign power, according to which the enforcement of subscription to Catholic doctrine must be accepted by the subjugated on account of the perils associated with a refusal to comply, namely, eternal damnation. As well as failing to conform, Vanini's action also represents a direct attack on Catholic orthodoxy. As Scott notes:

When a practical failure to comply is joined with a pointed, public refusal it constitutes a throwing down of the gauntlet, a symbolic declaration of war. [. . .] The moment when the dissident of the hidden transcript crosses the threshold to open resistance is always a politically charged occasion.<sup>60</sup>

Besides refusing the crucifix, Vanini was also reported to have pronounced various declarations of irreligion, atheism, and defiance against the symbolic violence and censorship to which he was subjected as a condemned man. Gramond claims that Vanini compared himself favourably to Christ in approaching the scaffold:

[Il] insulta à Notre Sauveur par ces paroles: 'Il sua de crainte et de faiblesse, en allant à la mort, et moi je meurs intrépide.'<sup>61</sup>

<sup>56</sup> Gramond, *Historiae*, in Durand, *Vanini*, pp. 191, 192–93.

<sup>57</sup> *Extrait des Annales de Toulouse de 1295 à 1633*, Bibliothèque Municipale de Toulouse, année 1618–1619, cote 696, quoted in Leopizzi, *Sources*, p. 147. This final source appears to be an amalgamation of Saint-Pierre's and Gramond's accounts.

<sup>58</sup> Foucault, *Surveiller*, pp. 54–55.

<sup>59</sup> As Paul Friedland observes, 'In an age when one's obedience to and honour of God were being increasingly likened to the respect that one owed the king, the public performance of the *amende honorable* was meant to pay one's debt to both' (Paul Friedland, *Seeing Justice Done: The Age of Spectacular Capital Punishment in France* (Oxford: Oxford University Press, 2012), p. 98).

<sup>60</sup> Scott, *Domination*, pp. 203, 207.

<sup>61</sup> Gramond, *Historiae*, in Durand, *Vanini*, p. 193. Vanini had made a similar comparison in *De*



Intriguingly, Rosset also attributes these words to Vanini. According to Rosset, however, Vanini uttered them during the trial itself, during a conversation between accuser and accused on the subject of Christ's suffering:

Et même étant tombé sur le discours des tourments que notre Seigneur souffrit, [. . .] [il disait] que lors que notre Seigneur était prêt d'aller souffrir la mort ignominieuse de la Croix, il suait comme un homme sans courage, et lui ne suait nullement, quoi qu'il vît bien qu'on le ferait bientôt mourir.<sup>62</sup>

In approaching the place of his death, Vanini refused once again to die as a Christian—a refusal articulated by repelling the crucifix—and instead resolved to die as a philosopher:

Sortant de la Conciergerie comme joyeux & allegre, il prononça ces mots en Italien; allons, allons allaigrement mourir en Philosophe.<sup>63</sup>

The outward joy with which Vanini approached the stake was not unheard of at this time. As Friedland notes, Lutherans had displayed similar subversions of the anticipated public transcript of repentance by appearing cheerful at their executions as early as the 1520s, as indeed some Protestants did.<sup>64</sup> Although the precise words that Vanini supposedly used vary between sources, it is clear that he used his execution as a means of expressing his rejection of the politics of a public transcript of conformity to Catholicism. Instead, he chose to disseminate a previously hidden transcript that was more subversive and atheistic than any that he may have displayed in trusted private conversation. Vanini refused to repent or to show fear when faced with his imminent death. Had he shown either of these, the dominant Catholic institution would have succeeded in asserting its power over both the subjugated prisoner and spectators of the event. As Scott notes:

Institutions for which doctrine is central to identity are thus often less concerned with the genuineness of confessions of heresy and recantations than with the public show of unanimity they afford. [. . .] The open refusal to comply with a hegemonic performance is, then, a particularly dangerous form of insubordination.<sup>65</sup>

*admirandis*. When asked by Alexandre whether he is God or Vanini, Jules-César replies 'Hic sum' ('I am he': Vanini, *De admirandis*, p. 409). Jean-Pierre Cavaillé has remarked that, as Jules-César is abbreviated to J.C. in the original Latin text, Vanini could be read as implicitly comparing himself to Jesus Christ. See Jean-Pierre Cavaillé, 'Une pensée de la transgression: politique, religion et morale chez Jules-César Vanini', in *Vanini: libertinage et philosophie à l'époque moderne*, ed. by Jean-Pierre Cavaillé and Didier Foucault (= *Kairos*, 12 (1998)), pp. 99–141 (p. 133).

<sup>62</sup> Rosset, *Histoires*, pp. 204–05.

<sup>63</sup> *Histoire véritable*, p. 10. These lines were directly reprinted in *Le Mercure françois* (p. 65).

<sup>64</sup> See Friedland, *Justice*, p. 124.

<sup>65</sup> Scott, *Domination*, p. 205.

*The Question of Audience at Vanini's Trial*

In the performance of the execution of an atheist, it is also important to consider the role of those who had gathered to witness Vanini's death. For Michel Foucault, 'Dans les cérémonies du supplice, le personnage principal, c'est le peuple. [...] Il faut non seulement que les gens sachent, mais qu'ils voient de leurs yeux.'<sup>66</sup> Besides the struggle between the dominant Catholic orthodoxy embodied by the judiciary and the executioner, and the dominated holder of a subversive atheist discourse, the spectator also plays a role in the maintenance of power relations. In observing the symbolic physical destruction of a deviant thinker and author, the populace is shocked and frightened into submission. Recently, however, Friedland has directly challenged Foucault's claim: 'Spectators of executions in early modern France did *not* see the penal spectacle as a manifestation of political sovereignty. Neither were they terrified. In fact, they *loved* attending executions.'<sup>67</sup> For Friedland, the importance of the audience at public executions was not its use as a deterrent, but its participation in a collective act of atonement through which people felt that both they and their communities had been purified.<sup>68</sup> Despite Friedman's strong denial of Foucault's claim, these two opposing views may well have coexisted in the minds of Vanini's contemporaries. It seems entirely possible that the lower classes, the legal class, and the elites were all aware of the potential of the capital punishment of irreligious men for both spiritual cleansing and legal deterrent, and that motives for attending such spectacles may have varied between individuals.

The very date of Vanini's execution appears to have been timed to accentuate its effectiveness as a deterrent to those who observed the event. In early February 1619 the duc de Montmorency was present in Toulouse for the arrival of his wife, whose sister was to marry the duc de Savoie. The resulting festivities included a carnival and a ballet—*Le Ballet des inconstants*.<sup>69</sup> As Didier Foucault has observed, these celebrations 'eurent lieu en deux temps encadrant parfaitement le procès et le supplice de l'italien [Vanini]'.<sup>70</sup> As Garrigues reminds us, these festivities took place during the sober period of Lent. As well as representing an opportunity for self-reflection, Vanini's death also counteracted the pomp and abundance of the marriage festivities, and for the spectators may even have constituted an opportunity for spiritual cleansing:

<sup>66</sup> Foucault, *Surveiller*, pp. 69–70.

<sup>67</sup> Friedland, *Justice*, p. 13.

<sup>68</sup> 'The inhabitants of medieval and early modern France did not attend public executions so that they could be the object of the government's didactic lesson; rather, they attended for many of the same reasons that people had taken part in earlier rituals of public penance: to witness an act of atonement and to take part in an act of collective healing' (Friedland, *Justice*, p. 91).

<sup>69</sup> An account of these festivities was printed in the *Relation de ce qui s'est passé à Toulouse le 3. 10. & 11. février; pour le mariage de Madame sœur du Roy avec le Prince de Savoye* (Toulouse: Raymond Colomiez, 1619), which was dedicated to Vanini's former protector Bassompierre.

<sup>70</sup> Didier Foucault, *Vanini*, p. 485.

Le feu purificateur permet aux pieuses élites du capital du Languedoc de rappeler que cette période de l'année est un temps de pénitence. Elles profitent de l'événement pour modérer les excès du Carnaval. [. . .] En ce temps de Carême, moment fort de la religion catholique, la condamnation d'un impie représente un acte d'autodéfense.<sup>71</sup>

These events were attended by an impressive number of aristocrats, including Adrien de Monluc, comte de Cramail, who would later employ Charles Sorel as a secretary and who, according to Guy Patin, had invited Vanini to Toulouse.<sup>72</sup> The duc de Montmorency, who would later provide great assistance to Théophile de Viau over the course of the latter's trial, was also involved in the celebrations. Those who had previously been sympathetic to freethinkers, or who would later assist others such as Théophile, were either too occupied with the marriage festivities to attend Vanini's execution and to witness the revelation of his hidden transcript, or else they simply did not share the Italian's libertine views on religion and therefore had no inclination to intervene on his behalf.<sup>73</sup> Vanini's hidden transcript, then, was not revealed to an audience of sympathetic aristocratic ears. His blasphemies and his subversive performance were displayed to a Catholic audience seeking to partake in a cleansing religious experience through his death; many of whom would doubtless have been drawn from the lower social classes and would therefore have lacked the power to defend him, the learning to understand him, or the social freedoms to join him in his subversive performance.<sup>74</sup>

Having realized that there was no longer any hope of escaping his trial alive by continuing to present a public transcript of outward religious conformity,

<sup>71</sup> Garrigues, *Monluc*, pp. 121, 134.

<sup>72</sup> *Patiniana* (Vienna manuscript), quoted in Foucault, *Vanini*, p. 466.

<sup>73</sup> Biographers of Bassompierre and Cramail have cast doubt on their *libertin* sympathies, and have suggested that neither of these men would have wished to come to the assistance of an impious man such as Vanini. See Garrigues, *Monluc*, pp. 199, 355–56, and Paul M. Bondonio, *Le Maréchal de Bassompierre* (Paris: Albin Michel, 1925), pp. 112–14. For a defence of Cramail's modern reputation as a *libertin* see Jean-Pierre Cavaillé, 'Adrien de Monluc, dévot ou libertin?', *Les Dossiers du Grihl*, online since 10 November 2011 <<http://dossiersgrihl.revues.org/1362>> [accessed 15 May 2014]. It is not known whether Bassompierre still acted as a patron for Vanini following the condemnation of Vanini's *De admirandis* and his move from Paris to Toulouse. His *Mémoires* show that he received Louis XIII at Monceaux in mid-August, and entertained the king for seventeen days. Bassompierre's movements following this royal visit in the north-east of the kingdom suggest that he made no effort to assist Vanini in Toulouse: 'De là il [le roi] s'en alla à Villers-Cotterêts, & à Soissons, où je pris congé de lui, pour m'en aller en Lorraine, & me permit aussi d'aller à Metz voir Monsieur d'Espèrnon, lequel s'en vint aussi à Nancy principalement pour me voir. Je ne fus guère plus d'un mois en mon voyage, & m'en revins à la Cour' (*Mémoires du maréchal de Bassompierre*, 4 vols (Amsterdam: aux dépens de la compagnie, 1723), II, 147). Bassompierre mentions the celebrations of the duc de Savoie's marriage at the Foire Saint-Germain (p. 148), but makes no reference to the festivities at Toulouse, or to Vanini's execution.

<sup>74</sup> According to Rosset, 'Étant monté sur l'échafaud il jeta les yeux d'un côté et de l'autre, et ayant vu certains hommes de sa connaissance parmi la grande foule du peuple, qui attendait la fin de cet execrable, il leur tint ce langage: Vous voyez (dit il tout haut) quelle pitié, vn miserable luif est cause que ie suis icy' (Rosset, *Histoires*, p. 209). It is unclear who these people of Vanini's acquaintance were. This detail is not reported in other contemporary sources.

Vanini used his final moments to engage in a daring and perhaps unexpected performance of irreligion and unbelief. In doing so, he clearly revealed what hitherto is likely to have been a hidden transcript which he had, according to earlier accounts, aired before select groups of trusted individuals. Vanini's hidden transcript was transplanted from the safety of the private sphere and displayed within the public sphere. His performance during his execution was highly subversive in its deviation from traditional performances of repentance on the part of convicted criminals in their final moments, and in its revelation of a discourse that traditionally remained hidden in Vanini's day.<sup>75</sup> It remains possible that the authorities in Toulouse had anticipated an audience for this subversive performance that may have looked upon Vanini's dissemination of his hidden transcript favourably, and that this may have been a further reason for executing him in the midst of great festivities. Although no one came to Vanini's defence, and although the very *langue* with which he had revealed his hidden transcript was ripped out before his death,<sup>76</sup> Vanini's final moments constituted a veritable act of *libertinage* in which a public display of warning and of piety was transformed into one of subversive performativity; a performance which proved subversive towards the Church, the state, and those who had gathered to witness the spectacle of his death.

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<sup>75</sup> 'Most acts of power from below, even when they are protests—implicitly or explicitly—will largely observe the "rules" even if their objective is to undermine them' (Scott, *Domination*, p. 93). Pierre de L'Estoile—who, although a fervent believer in the Catholic faith, clearly had little time for superstition or credulity—gives several examples in his *Journal* of religious dissidents repenting (at least outwardly) in their final moments on the scaffold.

<sup>76</sup> Gramond describes the event: 'Avant qu'on mit le feu au bûcher, on lui ordonna de présenter sa langue pour être coupée. Il le refusa; le Boureau ne pût l'avoir qu'avec des tenailles dont il se servit et pour la saisir et pour la couper' (Gramond, *Historiae*, in Durand, *Vanini*, p. 194). Rosset adds further details: 'On ne peut du premier coup que luy emporter le bout de la langue parce qu'il la retiroit. Mais au second coup on y mit si bon remede, qu'avec les tenailles on la luy arracha entierement avec la racine' (Rosset, *Histoires*, p. 210).